

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

The declaration has been objected to as being defective. It is noted, however, favorable reconsideration of the inventor declaration is in order insofar as M.P.E.P. § 602VI(E) indicates that a declaration will be considered to be acceptable such contains the title of the invention which was on the specification as filed and is accompanied by a cover letter accurately identifying the application for which it was intended by either indicating the application number or the serial number and filing date. Insofar as the declaration and cover letter filed March 16, 2004 meets these requirements, entry of the declaration is believed to be in order and the same is thereby respectfully requested. Should the Examiner determine otherwise, however, the Examiner is invited to call Applicants' attorney to discuss this matter.

Claims 1 and 2 have been rejected under 35 U.S.C. § 102 as being anticipated by Raidel and Claims 3 and 4 have been rejected under 35 U.S.C. § 103 as being unpatentable over Raidel in view of Hedenburg. Claims 5-8 have been added which correspond to Claims 1 and 4 as now amended but which includes limitations directed to a resilient support mechanisms rather than resilient support means and thus effectively broaden the scope of protection of the invention in the event of potential infringement of the claims.

Considering first then rejection of Claims 1 and 2 under 35 U.S.C. § 102 as being anticipated by Raidel, it is to be noted that Claim 1 has now been amended to state that the forward and rearward support means are vertically expandable/contractible at positions respectively forwardly and rearwardly spaced from the axle. In addition, Claim 2 has now been amended so as to specify that the forward resilient support means comprises a leaf spring fitted at a base end thereof to the axle and extending forwards in the vehicle to form a

bend convex forwards curved portion in the vehicle, said leaf spring being mounted at a tip portion thereof to a chassis side member and the rearward resilient support means comprising an air spring interposed between a bracket fitted to the axle and extending rearwards in the vehicle and the chassis side member above the bracket.

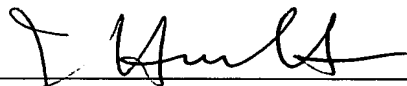
The foregoing amendments have been made to the claims insofar as Raidel merely discloses an existing suspension system with a trailing arm system. In such suspension, the half-size leaf spring serves as a positioning mechanism instead of the rod, so that the axle simply vertically moves along an arc path around the eye at the forward end of the leaf spring. Accordingly, Raidel is completely different in terms of structure and functioning as compared with the present invention as now claimed since the present invention serves to positively cause rolling movement of the axle. This means that the suspension of Raidel is dissimilar to that of the present invention, as illustrated in Figure 3. Insofar as Raidel's leaf springs 35, 36 serve as a forward half of the suspension, such does not provide vertically expandable/contractible resilient support located forwardly of the axle by a predetermined distance. It is therefore submitted that Claim 1 patentably defines over Raidel. It is further noted that only leaf spring 36 of Raidel is curved in any manner and thus does not meet the limitation of forward resilient support means forming a bend convex forwards curved portion in the vehicle, such leaf spring being mounted at a tip portion thereof to a chassis side member of the rearward resilient support means, as presently claimed. In view of this and in view of the foregoing discussion with regards to the limitations added to Claim 1, it is submitted that Claim 2 also merits indication of allowability.

Considering next then the rejection of Claims 3 and 4 under 35 U.S.C. § 103 as being unpatentable over Raidel in view of Hedenburg, it is to be noted that Hedenburg merely discloses that both the upper and lower torque arms are arranged to positively suppress moments applied around the axle to allow only vertical displacements of the axle, as is

known in conventional prior art. There is no teaching of the claimed technical concept of positively causing rolling movement of the axle and thus such reference is contrary to the present invention. Without the technical concept of positively causing the rolling movement of the axle, it is impossible for Hedenburg to teach the idea of only the upper portion of the axle being locked by suspension links so as not to be moveable longitudinally in the vehicle, as presently claimed. It is further submitted that Hedenburg fails to rectify the deficiencies noted herein above with regard to Raidel and is therefore submitted that each of Claims 3 and 4 also merit indication of allowability. As mentioned above, Claims 5-8 respond to Claims 1-4, respectively, but provide a broader scope of protection by including limitations directed to the resilient support mechanisms rather than resilient support means. Accordingly, entry of new Claims 5-8 is believed to be in order and the same is hereby respectfully requested.

Respectfully submitted,

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